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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Applicati n Number	10/674,914	
	Filing Dat	September 30, 2003	
	First Named Inventor	Hogg et al.	
	Group Art Unit	3737	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	5236-000452

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 5 References / PTO 1449
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.
Signature	
Date	January 7, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>January 7, 2004</u>			
Typed or printed name	Bryan K. Wheelock		
Signature		Date	January 7, 2004

EL 961 489763 US



HD&P Docket No. 5236-000452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Hogg et al.
Serial No.: 10/674,914
Filed: September 30, 2003
Art Unit: 3737
Examiner:
For: Method and Apparatus for Improved Surgical Navigation
Employing Electronic Identification with Automatically
Actuated Flexible Medical Devices

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

In order to comply with 37 CFR 1.97 and 1.98, a copy of Form PTO-1449 is attached.

In accordance with MPEP 609 and 707.05(b), Applicant respectfully requests that each document listed be given thorough consideration and that the Examiner cite each document of record in the prosecution history of the present application by initialing Form PTO-1449 next to each document. Applicant requests such initialing even if the Examiner does not consider: (1) a listed document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicant makes this request so that each document becomes cited on the face of a patent issuing on the present application.

EL 961 489763 US

Applicant submits the present Information Disclosure Statement in compliance with the duty to disclose information material to patentability under 37 CFR 1.56, but by listing such documents Applicant is not admitting that such documents are necessarily relevant or prior art. Applicant intends no representation that the listed documents represent the results of a complete search. Applicant anticipates that the Examiner, in the normal course of examination, will make an independent search to determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of such search, will review for relevance every document listed on the attached Form even if not initialed.

Applicant earnestly solicits early and favorable consideration. If the Examiner should have any questions with regard to this filing, he or she should contact the undersigned attorney at (314) 726-7500.

Dated: 7 January 2004

Respectfully submitted,

BY: 

Bryan K. Wheelock

Reg. No. 31,441

Attorneys for Applicant



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 1

ATTORNEY DOCKET No.

5236-000452

SERIAL No.

10/674,914

APPLICANT

Bevil J. Hogg

FILING DATE

September 30, 2003

GROUP

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		6,241,671	06/05/2001	Ritter et al.		
2.		6,266,551	07/24/2001	Osadchy et al.		
3.		6,331,181	12/18/2001	Tierney et al.		
4.		6,427,314	08/06/2002	Acker		
5.		6,436,032	08/20/2002	Eto et al.		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.							

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
1.		

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Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.